

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

RENNER *et al.*

Appl. No.: 10/050,902

Filed: January 18, 2002

For: **Molecular Antigen Array**

Confirmation No.: 7792

Art Unit: 1648

Examiner: Mosher, M.

Atty. Docket: 1700.0190004/BJD/SJE

### **Seventh Supplemental Information Disclosure Statement**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Seventh Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Sixth Supplemental Information Disclosure Statement filed on October 29, 2003, in connection with the above-captioned application. A copy of each document is also provided.

A copy of document AB1 is not provided in accordance with the U.S. Patent and Trademark Office pre-OG notice of July 11, 2003, which states "[t]he Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003." Copies of the remaining documents are provided.

The Examiner is referred to the following related, co-pending patent application:

U.S. Patent Application No. 09/848,616, Pub. No. US 2003/0054010 A1, filed May 4, 2001, inventors Sebbel *et al.*, cited herewith as Document AB1.

In accordance with the recent Federal Circuit decision in *Dayco Prods., Inc. v. Total Containment, Inc.* 329 F.3d 1358 (Fed. Cir. 2003), Applicants submit herewith Office Actions from the related copending U.S. Patent Application No. 09/848,616, as Documents AS133-AR134.

The identification of the listed U.S. Patent Application and the Office Actions is not to be construed as a waiver of secrecy as to this application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application, Office Actions and the art cited therein during examination of the present application.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

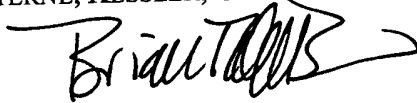
This Seventh Supplemental Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$ 180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

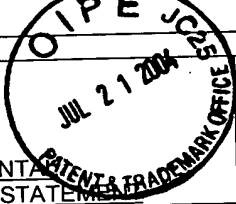


Brian Del Buono  
Attorney for Applicants  
Registration No. 42,473

Date: July 21, 2004

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SEVENTH SUPPLEMENTAL  
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FIRST NAMED INVENTOR  
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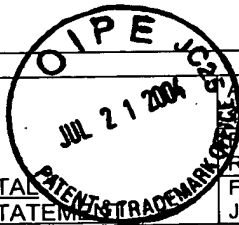
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA						
	AB1	2003/0054010 A1	03/20/2003	Sebbel <i>et al.</i>			05/04/2001
	AC						
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FOREIGN PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	AL						Yes No
	AM						Yes No
	AN						Yes No
	AO5	EP 0 578 293 A1	01/12/1994	Europe			Yes No
	AP5	WO 99/50432 A1	10/07/1999	WIPO			Yes No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)			
	AR	131	Artelt, P., <i>et al.</i> , "Vectors for efficient expression in mammalian fibroblastoid, myeloid and lymphoid cells via transfection or infection," <i>Gene</i> 68:213-219, Elsevier Science Publishers B.V. (1988)
	AS	131	Kilby, J.M., <i>et al.</i> , "Potent suppression of HIV-1 replication in humans by T-20, a peptide inhibitor of gp41-mediated virus entry," <i>Nat. Med.</i> 4:1302-1307, Nature America, Inc. (1998)
	AT	131	McReynolds, L., <i>et al.</i> , "Sequence of chicken ovalbumin mRNA," <i>Nature</i> 273:723-728, Macmillan Magazines, Ltd. (1978)

EXAMINER	DATE CONSIDERED
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**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.



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	AO						Yes No
	AP						Yes No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

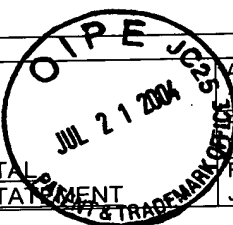
	AR	<u>132</u>	Wild, C., <i>et al.</i> , "Letter to the Editor: A Synthetic Peptide from HIV-1 gp41 Is a Potent Inhibitor of Virus-Mediated Cell-Cell Fusion," <i>AIDS Res. Hum. Retroviruses</i> 9:1051-1053, Mary Ann Liebert, Inc. (1993)
	AS	<u>132</u>	Invitrogen Manual, "Sindbis Expression System Version C," from internet web page <a href="http://www.invitrogen.com/manuals.html">http://www.invitrogen.com/manuals.html</a> , Catalog No. K750-01 (1996)
	AT		

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							No
	AM						Yes
							No
	AN						Yes
							No
	AO						Yes
							No
	AP						Yes
							No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	<u>133</u>	International Search Report for International Application No. PCT/IB01/00741 mailed March 5, 2002
	AS	<u>133</u>	Office Action for related U.S. Application No. 08/848,616, mailed August 30, 2002
	AT	<u>133</u>	Office Action for related U.S. Application No. 08/848,616, mailed February 7, 2003

EXAMINER

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	AL						Yes
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	AM						Yes
							No
	AN						Yes
							No
	AO						Yes
							No
	AP						Yes
							No

## OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

	AR	134	Office Action for related U.S. Application No. 08/848,616, mailed October 31, 2003
	AS		
	AT		

EXAMINER

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